

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DANNY JACKSON,

Petitioner,

v.

TIMOTHY STEWART,

Respondent.

Civil Action No.: ELH-23-890

MEMORANDUM

Self-represented Petitioner Danny Jackson filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on March 31, 2023. ECF 1. He has sued Warden Timothy Stewart and Warden C. Carter, at FCI Cumberland, challenging the decision of the Federal Bureau of Prisons (“BOP”), reversing its approval to transfer him to home confinement pursuant to the CARES Act. ECF 1-1. Jackson sought transfer to home confinement via supervision of a Residential Reentry Management (“RRM”) office. *Id.* at 30.

Respondents moved to dismiss the Petition (ECF 5, ECF 5-1), arguing that the Petition is moot. Respondents explain that on April 20, 2023, the BOP provided the relief requested in the Petition by transferring Jackson to home confinement under the supervision of the RRM. ECF 5-2.

Jackson’s transfer to home confinement has rendered his claim moot. “A habeas corpus petition is moot when it no longer presents a case or controversy under Article III, § 2, of the Constitution.” *Aragon v. Shanks*, 144 F.3d 690, 691 (10th Cir. 1998) (citing *Spencer v. Kemna*, 523 U.S. 1, 7 (1998)). “This case-or-controversy requirement subsists through all stages of federal judicial proceedings, trial and appellate.” *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477-78

(1990). The parties must continue to have a “personal stake in the outcome” of the lawsuit. *Id.* at 478 (quoting *Los Angeles v. Lyons*, 461 U.S. 95, 101 (1983)). “This means that, throughout the litigation, the plaintiff ‘must have suffered, or be threatened with, an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.’” *Spencer*, 523 U.S. at 7 (quoting *Lewis*, 494 U.S. at 477); *Snyder v. Maryland*, No. ELH-20-1030, 2023 WL 35249, at *3 (D. Md. Jan. 3, 2023).

Here, the Petition is now moot because the BOP provided the relief that Jackson requested in the Petition, by transferring Jackson to home confinement on April 20, 2023 at the Philadelphia RRM office. As such, the claims in the Petition are no longer “live.” Therefore, I shall dismiss the Petition as moot.

A separate Order follows.

August 21, 2023
Date

/s/
Ellen L. Hollander
United States District Judge